

AMENDED IN SENATE APRIL 26, 2006

AMENDED IN SENATE MARCH 30, 2006

SENATE BILL

No. 1670

Introduced by Senator Aanestad

February 24, 2006

An act to amend Section 114870 of the Health and Safety Code, relating to radiologic technology.

LEGISLATIVE COUNSEL'S DIGEST

SB 1670, as amended, Aanestad. Radiologic technology.

Existing law requires the State Department of Health Services to adopt regulations for the granting, with certain exceptions, of *radiologic technology certificates to persons to perform procedures or applications of X-rays without limitation, except as specified by law, and of limited permits to persons to conduct radiologic technology limited to the performance of certain procedures or the application of X-rays to specific areas of the human body, and to prescribe minimum training, experience, and examination standards and procedures.* Violation of these provisions is a crime.

This bill would *authorize certified radiologic technologists, with at least 15 hours of instruction in digital technology, to perform digital radiography. This bill would also authorize limited permitholders employed in a nonacute care facility an outpatient setting, as defined,* with at least ~~6~~ 15 hours of instruction in digital technology to ~~also~~ perform digital radiography. By changing the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114870 of the Health and Safety Code
2 is amended to read:

3 114870. The department shall do all of the following:

4 (a) Upon recommendation of the committee, adopt regulations
5 as may be necessary to accomplish the purposes of this chapter.

6 (b) (1) Provide for certification of radiologic technologists,
7 without limitation as to procedures or areas of application, except
8 as provided in Section 106980. Separate certificates shall be
9 provided for diagnostic radiologic technology, for
10 mammographic radiologic technology, and for therapeutic
11 radiologic technology. If a person has received accreditation to
12 perform mammography from a private accreditation
13 organization, the department shall consider this accreditation
14 when deciding to issue a mammographic radiologic technology
15 certificate.

16 (2) *Provide that a radiologic technologist may also perform*
17 *digital radiography, if he or she has completed 15 or more hours*
18 *of initial instruction in digital radiologic technology, plus any*
19 *additional continuing instruction in digital radiologic technology*
20 *that may subsequently be recommended by the committee.*

21 (c) (1) Provide, as may be deemed appropriate, for granting
22 limited permits to persons to conduct radiologic technology
23 limited to the performance of certain procedures or the
24 application of X-rays to specific areas of the human body, except
25 for mammography, prescribe minimum standards of training and
26 experience for these persons, and prescribe procedures for
27 examining applicants for limited permits. The minimum
28 standards shall include a requirement that persons granted limited
29 permits under this subdivision shall meet those fundamental
30 requirements in basic radiological health training and knowledge
31 similar to those required for persons certified under subdivision

(b) as the department determines are reasonably necessary for the protection of the health and safety of the public.

(2) Provide that a limited permit X-ray technician employed in ~~a nonacute care facility~~ *an outpatient setting, as defined in Section 1248*, may also perform digital radiography if he or she has completed ~~six or more hours of instruction in digital technology~~ *15 hours or more of initial instruction in digital radiologic technology, plus any additional continuing instruction in digital radiologic technology that may subsequently be recommended by the committee.*

(d) Provide for the approval of schools for radiologic technologists.

(e) Provide, upon recommendation of the committee, for certification of licentiates of the healing arts to supervise the operation of X-ray machines or to operate X-ray machines, or both, prescribe minimum standards of training and experience for these licentiates of the healing arts, and prescribe procedures for examining applicants for certification. This certification may limit the use of X-rays to certain X-ray procedures and the application of X-rays to specific areas of the human body.

(f) (1) Provide for certification of any physician and surgeon to operate, and supervise the operation of, a bone densitometer, if that physician and surgeon provides the department a certificate that evidences training in the use of a bone densitometer by a representative of a bone densitometer machine manufacturer, or through any radiologic technology school. The certification shall be valid for the particular bone densitometer the physician and surgeon was trained to use, and for any other bone densitometer that meets all of the criteria specified in subparagraphs (A) to (C), inclusive, if the physician and surgeon has completed training, as specified in subparagraph (A) of paragraph (2), for the use of that bone densitometer. The physician and surgeon shall, upon request of the department, provide evidence of training, pursuant to subparagraph (A) of paragraph (2), for the use of any bone densitometer used by the physician and surgeon. The activity covered by the certificate shall be limited to the use of an X-ray bone densitometer to which all of the following is applicable:

(A) The bone densitometer does not require user intervention for calibration.

1 (B) The bone densitometer does not provide an image for
2 diagnosis.

3 (C) The bone densitometer is used only to estimate bone
4 density of the heel, wrist, or finger of the patient.

5 (2) The certificate shall be accompanied by a copy of the
6 curriculum covered by the manufacturer's representative or
7 radiologic technology school. The curriculum shall include, at a
8 minimum, instruction in all of the following areas:

9 (A) Procedures for operation of the bone densitometer by the
10 physician and surgeon, and for the supervision of the operation of
11 the bone densitometer by other persons, including procedures for
12 quality assurance of the bone densitometer.

13 (B) Proper radiation protection of the operator, the patient, and
14 third parties in proximity to the bone densitometer.

15 (C) Provisions of Article 5 (commencing with Section
16 106955) of Chapter 4 of Part 1 of Division 104.

17 (D) Provisions of Chapter 6 (commencing with Section
18 114840) of Part 9 of Division 104.

19 (E) Provisions of Group 1 (commencing with Section 30100)
20 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
21 California Code of Regulations.

22 (F) Provisions of Group 1.5 (commencing with Section 30108)
23 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the
24 California Code of Regulations.

25 (G) Provisions of Article 1 (commencing with Section 30250)
26 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
27 of the California Code of Regulations.

28 (H) Provisions of Article 2 (commencing with Section 30254)
29 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
30 of the California Code of Regulations.

31 (I) Provisions of Article 3 (commencing with Section 30265)
32 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
33 of the California Code of Regulations.

34 (J) Provisions of Article 4 (commencing with Section 30305)
35 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17
36 of the California Code of Regulations.

37 (K) Provisions of Subchapter 4.5 (commencing with Section
38 30400) of Chapter 5 of Division 1 of Title 17 of the California
39 Code of Regulations.

1 (3) (A) Notwithstanding any other provision of law, this
2 subdivision shall constitute all the requirements that must be met
3 by a physician and surgeon in order to operate, and supervise the
4 operation of, a bone densitometer. The department may adopt
5 regulations consistent with this section in order to administer the
6 certification requirements.

7 (B) No person may be supervised by a physician and surgeon
8 in the use of a bone densitometer unless that person possesses the
9 necessary license or permit required by the department.

10 (C) Nothing in this subdivision shall affect the requirements
11 imposed by the committee or the department for the registration
12 of a bone densitometer machine, or for the inspection of facilities
13 in which any bone densitometer machine is operated.

14 (D) This subdivision shall not apply to a licentiate of the
15 healing arts who is certified pursuant to subdivision (e) or
16 pursuant to Section 107111.

17 (E) The department shall charge a fee for a certificate issued
18 pursuant to this subdivision to the extent necessary to administer
19 certification. The fee shall be in an amount sufficient to cover the
20 department's costs of implementing this subdivision and shall not
21 exceed the fee for certification to operate or supervise the
22 operation of an X-ray machine pursuant to subdivision (e). The
23 fees collected pursuant to this subparagraph shall be deposited
24 into the Radiation Control Fund established pursuant to Section
25 114980.

26 (g) Upon recommendation of the committee, exempt from
27 certification requirements those licentiates of the healing arts
28 who have successfully completed formal courses in schools
29 certified by the department and who have successfully passed a
30 roentgenology technology and radiation protection examination
31 approved by the department and administered by the board that
32 issued his or her license.

33 SEC. 2. No reimbursement is required by this act pursuant to
34 Section 6 of Article XIII B of the California Constitution because
35 the only costs that may be incurred by a local agency or school
36 district will be incurred because this act creates a new crime or
37 infraction, eliminates a crime or infraction, or changes the
38 penalty for a crime or infraction, within the meaning of Section
39 17556 of the Government Code, or changes the definition of a

- 1 crime within the meaning of Section 6 of Article XIII B of the
- 2 California Constitution.

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